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This bill prevents an owner, lessee, tenant, or other person in control of real property from owing a duty of care to a trespasser unless there is a statutory or common law right of action that has already been recognized at the time the bill is enacted, except for claims arising from an injury to a child.

This bill would not affect any of the current immunities or defenses available in law to an owner of real property to defend against a claim by a trespasser. Current law allows trespass for the purposes of outdoor recreation when permission has been obtained (Minn. Stat. § 97B.001, subd. 4) but provides that the owner does not owe a duty of care to maintain the land or warn of dangerous conditions on the land, unless the owner acts to willfully cause injury (Minn. Stat. § 604A.22).

Effective date. This bill would be effective on July 1, 2017, and apply to actions arising from incidents that occurred on or after that date.